

Introduced by Senator Battin

February 23, 2001

An act to amend Section 42283.1 of, and to add Sections 42283.3 and 42283.4 to, the Education Code, relating to school finance.

LEGISLATIVE COUNSEL'S DIGEST

SB 1078, as introduced, Battin. Necessary small schools.

Existing law deems Mt. Hamilton Elementary School and Harney Elementary School necessary small schools and apportions \$20,000 to their respective school districts. These apportionments are conditioned upon neither school exceeding 20 units of average daily attendance in any fiscal year.

This bill would delete the \$20,000 apportionment to the school districts. This bill would provide that if either Mt. Hamilton Elementary School or Harney Elementary School exceeds 24 units of average daily attendance in any fiscal year, then that school will no longer be deemed a necessary small school.

Existing law defines a necessary small school as an elementary school with an average daily attendance of less than 101, exclusive of pupils attending grades 7 and 8 of a junior high school, maintained by a school district that maintains 2 or more schools, that meets other criteria involving combinations of distance and average daily attendance. Existing law requires the county superintendent of schools to make computations for each elementary and secondary school district that has fewer than 2,501 units of 2nd principal apportionment average daily attendance and maintains at least one school that meets the criteria for a necessary small school.

This bill would deem Palomar Mountain School to be a necessary small school and make the Valley Center-Pauma Unified School

District eligible to receive apportionments for the school pursuant to its status as a necessary small school. The bill would provide that if the average daily attendance of the Palomar Mountain School exceeds 100, then the school would no longer be eligible to receive apportionments as a necessary small school.

This bill would also deem Glen Martin Elementary School to be a necessary small school and make the Bear Valley Unified School District eligible to receive apportionments for the school pursuant to its status as a necessary small school. The bill would provide that if the average daily attendance of the Glen Martin Elementary School exceeds 100, then the school would no longer be eligible to receive apportionments as a necessary small school.

The bill would, notwithstanding the established maximum units of average daily attendance, authorize the Del Norte County Unified School District to establish up to 2 necessary small schools according to specified criteria.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The Palomar Mountain School is in use as a public school
4 serving pupils in kindergarten and grades 1 to 8, inclusive,
5 pursuant to a 1950 deed from the California Institute of
6 Technology that was granted for ten dollars (\$10) in order to
7 maintain a school on the heights of Mount Palomar.

8 (b) Thirteen pupils are currently in attendance at this school.

9 (c) Absent this school, these pupils would be required to attend
10 school more than 40 minutes away at the base of the mountain,
11 more than 4,000 feet below.

12 (d) Driving conditions are frequently treacherous on the
13 mountain, with more than 20 snow days and more than 50 days
14 below freezing in 1998–99.

15 (e) The school currently receives necessary small school
16 funding as a result of its isolation in order to pay for a teacher and
17 two instructional aides for the pupils at the school.



(f) The school would not be financially viable for operation solely on dollars generated by the pupil enrollment absent this funding.

SEC. 2. Section 42283.1 of the Education Code is amended to read:

42283.1. (a) Notwithstanding any provision of this article or any other provision of law, Mt. Hamilton Elementary School and Harney Elementary School each shall be deemed a necessary small school, as defined in Section 42283. ~~In lieu of the amount calculated for necessary small schools, and in addition to the amount per unit of average daily attendance received by the districts, as calculated pursuant to Article 2 (commencing with Section 42238), the Alum Rock Union Elementary School District shall receive in each fiscal year, commencing with the 1993-94 fiscal year, a twenty thousand dollar (\$20,000) apportionment for Mt. Hamilton Elementary School and the Patterson Joint Unified School District shall receive a twenty thousand dollar (\$20,000) apportionment for Harney Elementary School.~~

(b) If either Mt. Hamilton Elementary School or Harney Elementary School exceeds ~~20~~ 24 units of average daily attendance in any fiscal year, then that school shall no longer be ~~entitled to receive the apportionments~~ *deemed a necessary small school* as set forth in subdivision (a).

SEC. 3. Section 42283.3 is added to the Education Code, to read:

42283.3. (a) Notwithstanding any other provision of law, the Pauma Mountain Elementary School shall be deemed a necessary small school, as defined in Section 42283. Notwithstanding any other provision of law, the Valley Center-Pauma Unified School District is eligible to receive apportionments for the Palomar Mountain Elementary School pursuant to Section 42282.

(b) If the number of units of average daily attendance of the Pauma Mountain Elementary School exceeds 100, then that school shall no longer be entitled to receive apportionments as a necessary small school.

SEC. 4. Section 42283.4 is added to the Education Code, to read:

42283.4. (a) Notwithstanding any other provision of law, the Glen Martin Elementary School shall be deemed a necessary small school, as defined in Section 42283. Notwithstanding any other

1 provision of law, the Bear Valley Unified School District is eligible
2 to receive apportionments for the Glen Martin Elementary School
3 pursuant to Section 42282.

4 (b) If the number of units of average daily attendance of the
5 Glen Martin Elementary School exceeds 100, that school may no
6 longer be deemed a necessary small school.

7 SEC. 5. Notwithstanding the maximum units of average daily
8 attendance established pursuant to Section 42284 of the Education
9 Code, or any other provision of law, the Del Norte County Unified
10 School District may establish up to two necessary small high
11 schools provided that the criteria set forth in Section 42285 of the
12 Education Code are met.

13 SEC. 6. The Legislature finds and declares that, due to the
14 unique fiscal circumstances of the Palomar Mountain School, the
15 Mt. Hamilton Elementary School, the Harney Elementary School,
16 the Palomar Mountain Elementary School, the Del Norte County
17 Unified School District, and the Glen Martin Elementary School,
18 a general statute cannot be made applicable within the meaning of
19 Section 16 of Article IV of the California Constitution.

